



10-06-03

RCE/16907

REQUEST

FOR

CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 13.53(d) (PTO/SB/29) instead of an RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which was established RCE practice.

1. Submission required under 37 C.F.R. § 1.114

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a. Previously submitted

i. Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____ (Any unentered amendment(s) referred to above will be entered).

ii. Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____

iii. Other _____

b. Enclosed

i. Amendment/Reply

ii. Affidavit(s)/Declaration(s)

iii. Supplemental Information Disclosure Statement (IDS), Form PTO-1449 and 22 cited references

iv. Other _____

2. Miscellaneous

a. Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)

b. Other _____

3. Fees

The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

a. The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. _____

i. RCE fee required under 37 C.F.R. § 1.17(e)

ii. Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)

iii. Other _____

b. Check in the amount of \$1,720.00 enclosed

c. Payment by credit card (Form PTO-2038 enclosed)

d. If necessary, the Director is hereby authorized to charge any deficiencies, or credit any overpayments, to Deposit Account No. 50-0220

Myers Bigel Sibley & Sajovec, P.A., P. O. Box 37428, Raleigh, North Carolina 27627,
Telephone: (919) 854-1400, Facsimile: (919) 854-1401, Customer No. 20792

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Shawna Cannon Lemon	Registration No. (Attorney/Agent)	53,888
Signature		Date	October 3, 2003

CERTIFICATE OF MAILING OR TRANSMISSION

Express Mail Label No. EV 353592422 US

Date of Deposit: October 3, 2003

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated above and is addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Name (Print/Type)

Susan E. Freedman

Signature

Date

October 3, 2003

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